

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
Jacksonville Division**

Plaintiff(s)

V.

Case No.:

Defendant(s)

CASE MANAGEMENT REPORT

1. Meeting of Parties: Pursuant to Local Rule 3.05(c)(2)(B) or (c)(3)(A), a conference was held on _____(date) at _____(time) between:

Name

Counsel for (if applicable)

2. Fed.R.Civ.P.26(a)(1), as amended, effective December 1, 2000, Pre-Discovery Initial Disclosures:

The parties (check one)

_____have exchanged _____agree to exchange

information described in Fed.R.Civ.P. 26(a)(1) on or before _____(date). Below is a detailed description of information disclosed or scheduled for disclosure:

3. **Discovery Plan - Plaintiff(s):** The parties jointly propose the following Plaintiff's discovery plan:

a. Every discovery effort Plaintiff plans to pursue is described below. The description of each discovery effort will be listed under the appropriate heading below and will include the subject matter of the discovery and the time during which the discovery will be pursued:

(1) Requests for Admission:

Number of Requests for Admission: Parties may seek to limit the number of Plaintiff's requests for admission in accordance with Fed.R. Civ.P. 26(b)(2). Any such request must be presented by motion. See paragraph 6 below.

(2) Written Interrogatories:

Number of Interrogatories: Local Rule 3.03(a) provides "[u]nless otherwise permitted by the Court for cause shown, no party shall serve upon any other party, at one time or cumulatively, more than twenty-five (25) written interrogatories pursuant to Rule 33, Fed.R.Civ.P., including all parts and subparts." Any request by Plaintiff to exceed this limit must be presented by motion. See paragraph 6 below.

(3) Requests for Production or Inspection:

(4) Oral Depositions:

Number of Depositions: Local Rule 3.02(b) provides, "[i]n accordance with Fed.R.Civ.P. 30(a)(2)(A) and 31(a)(2)(A), no more than ten depositions per side may be taken in any case unless otherwise ordered by the Court." Any request by Plaintiff to exceed this limit must be presented by motion. See paragraph 6 below.

Time Permitted for Each Deposition, in accordance with Fed.R.Civ.P. 30(d), is limited to one day of seven hours, unless extended by stipulation of the parties or order of the Court.

b. **Disclosure of Expert Testimony:** Parties stipulate, in accordance with Fed.R.Civ.P. 26(a)(2)(C), that Plaintiff's Fed.R.Civ.P. 26(a)(2) disclosure will be due as noted here:

c. Supplementation of Disclosures and Responses: Parties agree that Plaintiff's

supplementation under Fed.R.Civ.P. 26(e) will be provided at the following times:

d. **Completion of Discovery:** Plaintiff will commence all discovery in time for it to be completed on or before _____ (date).

4. **Discovery Plan - Defendant(s):** The parties jointly propose the following Defendant(s)'s discovery plan:

a. Every discovery effort planned by Defendant(s) is described below. The description of each discovery effort will be listed under the appropriate heading below and will include the subject matter of the discovery and the time during which the discovery will be pursued:

(1) Requests for Admission:

Number of Requests for Admission: Parties may seek to limit the number of Defendant's requests for admission in accordance with Fed.R.Civ.P. 26(b)(2). Any such request must be presented by motion. See paragraph 6 below.

(2) Written Interrogatories:

Number of Interrogatories: Local Rule 3.03(a) provides "[u]nless otherwise permitted by the Court for cause shown, no party shall serve upon any other party, at one time or cumulatively, more than twenty-five (25) written interrogatories pursuant to Rule 33, Fed.R.Civ.P., including all parts and subparts." Any request by Defendant to exceed this limit must be presented by motion. See paragraph 6 below.

(3) Requests for Production or Inspection:

(4) Oral Depositions:

Number of Depositions: Local Rule 3.02(b) provides, "[i]n accordance with Fed.R.Civ.P. 30(a)(2)(A) and 31(a)(2)(A), no more than ten depositions per side may be taken in any case unless otherwise ordered by the Court." Any request by Defendant to exceed this limit must be presented by motion. See paragraph 6 below.

Time Permitted for Each Deposition, in accordance with Fed.R.Civ.P. 30(d), is limited to one day of seven hours, unless extended by stipulation of the parties or order of the Court.

b. **Disclosure of Expert Testimony:** Parties stipulate, in accordance with Fed.R.Civ.P. 26(a)(2)(C), that Defendant's Fed.R.Civ.P. 26(a)(2) disclosure will be due as noted here:

c. **Supplementation of Disclosures and Responses:** Parties agree that Defendant's supplementation under Fed.R.Civ.P. 26(e) will be provided at the following times:

d. **Completion of Discovery:** Defendant will commence all discovery in time for it to be completed on or before _____ (date).

5. **Joint Discovery Plan - Other Matters:** Parties agree on the following other matters relating to discovery (e.g., handling of confidential information, assertion of privileges, whether discovery should be conducted in phases or be limited to or focused upon particular issues):

6. **Disagreement or Unresolved Issues Concerning Discovery Matters:** Any disagreement or unresolved issue concerning discovery matters must be made the subject of a separate motion to be filed not later than eleven days after the filing of the Case Management Report. Such disagreement or unresolved issue will not excuse the establishment of discovery completion dates.

Pursuant to Fed.R.Civ.P. 26(a)(1), as amended effective December 1, 2000, any objection as to the appropriateness of required Initial Disclosures shall be recorded in the case management report.

7. **Third-Party Claims/Joinder of Parties and Potentially Dispositive Motions:** Parties agree that the final date for filing motion for leave to file third-party claims or motion to join parties should be _____ (this date must be *at least* 120 days prior to close of discovery); **and** that the final date for filing all potentially dispositive motions (for summary judgment or other) should be _____ (a date which is *at least* 60 days prior to the final pretrial conference).

8. **Settlement and Alternative Dispute Resolution:**

- a. **Settlement:** The parties agree that settlement is (check one):

_____ likely _____ unlikely

b. **Mediation:** This case is referred to Court-Annexed Mediation pursuant to Rule 9, Local Rules, M.D.Fla. Mediation must be conducted by a Certified Mediator. A list of Certified Mediators is available on the Middle District of Florida website. The parties are granted an opportunity to select a Certified Mediator from the approved list and to decide where the mediation should be held. The parties should also state the deadline for conducting the mediation conference. If the parties are unable to agree, they must notify the Court and the Court will appoint a Certified Mediator and set a deadline for the mediation conference.

Certified Mediator: _____

Deadline for Mediation: _____

Location of Mediation: _____

9. Parties agree to consent to trial presided over by United States Magistrate Judge (which will afford the parties better opportunity for a "date certain" for trial):

_____yes _____no _____likely to agree in future

*If yes, the parties shall complete and all counsel and unrepresented parties shall sign the Form AO-85 attached hereto (please note **all signatures must appear on the same form**); submit the same to the Clerk, and the undersigned will promptly thereafter enter the "Order of Reference" portion and file the same in the record hereof.*

10. **Preliminary Pretrial Conference:**

If designated a Track Three case, Local Rule 3.05(c)(3)(B) provides that a preliminary pretrial conference **is mandatory, and the Court will sua sponte schedule and notice such conference.**

[**Note:**If case was not designated Track Three but all counsel believe it should be such, plaintiff's counsel shall immediately contact the undersigned's Courtroom Deputy Clerk.]

If designated a Track Two case, the parties (check one)

___request ___do not request

a preliminary pretrial conference before entry of a Case Management and Scheduling Order to address the following unresolved issues:

[NOTE: If no issues are specified here by the parties, no such conference will be scheduled.]

11. **Final Pretrial Conference and Trial:** Parties agree that they will be ready for a final pretrial conference on or after _____(date) and for trial on or after _____(date).

This (check one): ☐ **Jury** ☐ **Non-Jury** trial is expected to take approximately _____ **hours** (including jury selection if applicable).

12. **Pretrial Disclosure and Final Pretrial Procedures:** Parties acknowledge that they are aware of and will comply with pretrial disclosure requirements in Fed.R.Civ.P. 26(a)(3) and final pretrial procedures requirements in Local Rule 3.06.

13. **Others Matters** (if any):

Date: _____

Signatures of Counsel (with information
required by Local Rule 1.05(d)) and
Signature of Any Unrepresented Party

_____	_____
_____	_____
_____	_____
_____	_____

UNITED STATES DISTRICT COURT
Middle District of Florida

Plaintiff

v.

Case Number: _____

Defendant

NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE TO EXERCISE JURISDICTION

In accordance with the provisions of 28 U.S.C. 636(c) and Fed.R.Civ.P. 73, you are hereby notified that a United States Magistrate Judge of this District Court is available to conduct any or all proceedings in this case, including a jury or bench trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a Magistrate Judge is, however, permitted only if all parties voluntarily consent, **as evidenced by execution of the Consent portion hereof**, to the exercise of jurisdiction by a United States Magistrate Judge.

You may, without adverse substantive consequences, withhold your consent; but this will prevent the Court's jurisdiction from being exercised by a Magistrate Judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any Magistrate Judge or to the District Judge to whom the case has been assigned. **[See NOTE below.]**

Appeal from a judgment entered by a Magistrate Judge shall be taken directly to the United States Court of Appeals for the Eleventh Circuit, in the same manner as an appeal from any other judgment of this District Court.

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of 28 U.S.C. 636(c) and Fed.R.Civ.P. 73, the parties in this case hereby voluntarily consent to have a United States Magistrate Judge conduct any and all further proceedings in the case, including the trial; order the entry of a final judgment; and conduct all post-judgment proceedings, as necessary.

Signatures	Party Represented	Date Signed
_____	_____	_____
_____	_____	_____
_____	_____	_____

ORDER OF REFERENCE

IT IS HEREBY ORDERED that this case be referred to the assigned United States Magistrate Judge, for all further proceedings and the entry of judgment in accordance with 28 U.S.C. 636(c), Fed.R.Civ.P. 73, and the foregoing consent of the parties.

Date

VIRGINIA M. HERNANDEZ COVINGTON, United States District Judge

NOTE: RETURN THIS FORM TO CLERK OF COURT ONLY IF ALL PARTIES HAVE SIGNED ON THIS FORM CONSENTING TO EXERCISE OF JURISDICTION BY A MAGISTRATE JUDGE.